

NEWS FROM ED MARKEY

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CONTACT: Tara McGuinness

Michal Freedhoff

(202) 225-2836

ENERGY CONFERENCE COMMITTEE ADOPTS MARKEY MEASURE TO PROTECT NUCLEAR FACILITIES AND SECURE DIRTY BOMB MATERIALS

Congress Takes Action To Prevent A Nuclear Attack on U.S. Soil

Washington, DC: Today the Energy Conference Committee moved to adopt aggressive nuclear security measures to protect nuclear facilities from terrorist threats and prevent a dirty bomb attack. Representative Edward J. Markey (D-MA), a senior Member of the Homeland Security Committee and the House Energy and Commerce Committee offered the provisions which would require the Nuclear Regulatory Commission (NRC) to: conduct security evaluations including developing force-on-force exercises at licensed facilities at least every 3 years; upgrade the Design Basis Threat security regulations; and increase controls over the import, export and domestic sales of materials that could be used to construct a dirty bomb.

“Almost four years after the attacks of September 11th, the U.S. Congress has decisively acted to prevent nuclear terrorism on U.S. soil,” said Rep. Markey. “The provisions agreed to today would strengthen the security of our nuclear facilities and step-up controls over radioactive materials that could be used by terrorists to make a dirty bomb. The time to take these actions is now, not after an attack.”

The Markey amendment, accepted by the Energy Conference Committee includes the following nuclear security provisions:

- It requires the NRC to conduct security evaluations including force-on-force exercises at nuclear reactors at least every 3 years, and to take steps to mitigate the absurd conflict-of-interests presented when it allowed NEI to hire Wackenhut, which guards half the nation’s reactors, to serve as the mock adversary force in these exercises. The NRC also must report on the results of these exercises to the Congress – an important step for Congress’s oversight role, especially seeing as the NRC just voted to withhold ALL these results from the public.
- The NRC must either initiate a rulemaking to upgrade the Design Basis Threat security regulations within 90 days of enactment, or complete any ongoing rulemaking it might have already started within 18 months of enactment.
- The NRC must create federal security coordinators in each NRC Region.
- Finally, the NRC must promulgate regulations to control the import, export and domestic sales of materials that could be used to construct a dirty bomb and create a tracking system for these materials. The language creates a task force on radiation source security that will advise the NRC on future regulatory changes, and provides the Commission with new regulatory authority for materials such as radium and accelerator produced isotopes. This language is a bipartisan compromise that represents much of the contents of the Markey-Clinton Dirty Bomb Prevention Act.

The provisions, which received bi-partisan, bi-cameral support, are the product of efforts in both the House and the Senate to strengthen legislation to protect nuclear facilities and better control materials that could be used to make a dirty bomb. The language combined the Markey-authored, bi-partisan nuclear security language contained in the House Energy bill with elements of S.864, the bi-partisan nuclear security legislation passed by the Senate Environment and Public Works Committee led by Chairman James M. Inhofe, Ranking Senator James M. Jeffords, and Subcommittee on Clean Air, Climate Change and Nuclear Safety Chairman George V. Voinovich and Ranking Democrat Thomas R. Carper. Rep. Markey has been fighting to prevent acts of nuclear terrorism for decades and worked aggressively following 9/11 to legislate more stringent nuclear security measures.

For more information regarding the Rep. Markey's amendment and other work in the area of nuclear reactor security, please see www.house.gov/markey.

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